

**FISCAL NOTE**  
**SB 3079 - HB 3354**

March 2, 2004

**SUMMARY OF BILL:** Provides that a conviction for an offense in another state that would have constituted a DUI if committed in Tennessee shall be considered for enhancement purposes. Clarifies that the court must order a person who has been convicted of DUI who has a prior conviction in the last five years to only operate a motor vehicle or motorcycle equipped with an ignition interlock device.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$5,000 / Incarceration\***

**Increase Local Govt. Expenditures\*\* - Less than \$25,000**  
**Increase Local Govt. Revenues - Not Significant**

**Other Fiscal Impact - Longer driver license suspension periods may delay receipt of license reinstatement fees. The amount affected by the provisions of the bill is estimated to be not significant.**

Estimate assumes:

- DUI convictions that would have been first or second offenses in the absence of the bill become second and third offense DUI's as a result of the new enhancement factor. The impact depends upon the number of persons convicted of multiple DUI's and the resulting increased cost to local governments for the extended mandatory minimum confinement period for such persons versus the increased revenues to local governments from increased minimum fines levied and collected under the provisions of this bill.
- One Class E felony conviction as a result of person who would have been convicted of a third offense DUI instead being charged with a fourth offense due to the enhancement factor contained in the bill.

*\*Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

*\*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director